S.B. Civil Writ Petition NO.1784/2005

Smt. Kamla Wadhwani & Ors.

vs

Bank of Baroda & Ors.

DATE OF ORDER : - 1.4.2005.

HON'BLE MR. PRAKASH TATIA,J.

Mr.Vineet Kothari, for the petitioner.
Mr.R.K.Salecha, for the respondent.

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Heard learned counsel for the parties.

In the present writ petition, several disputed questions of facts are involved, apart from the fact that the effective alternative remedy is available to the petitioner by moving petition under Section 17 of the Securitisation & Reconstruction of Financial Assets & Enforcement of Security Interest Act, 2002. This court is not inclined to entertain the present writ petition under Article 226 of the Constitution of India. Hence, the writ petition of the petitioner is dismissed summarily. However,the petitioner may approach the Debt Recovery Tribunal under Section 17 of the Act of 2002. The petitioner may submit his petition before the DRT within a period of one week from today and he may seek appropriate relief from the competent court. The DRT is expected to pass appropriate order expeditiously as far as possible after hearing both

the parties in accordance with law and according to their time schedule.

(Prakash Tatia), J.

c.p.goyal/-